

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY RSA #3	)	
CELLULAR GENERAL PARTNERSHIP FOR	)	
ISSUANCE OF A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY TO CONSTRUCT	)	CASE NO.
A CELL SITE (SCOTTSVILLE #2) IN RURAL	)	2000-211
SERVICE AREA #3 (ALLEN) OF THE	)	
COMMONWEALTH OF KENTUCKY	)	

O R D E R

On July 6, 2000, Kentucky RSA #3 Cellular General Partnership ("Kentucky RSA #3") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a self-supporting antenna tower not to exceed 255 feet in height, with attached antenna, to be located at Hillview Drive, Scottsville, Allen County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 44' 52.56" by West Longitude 86° 11' 51.75".

Kentucky RSA #3 has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Licensed Professional Engineer.

Pursuant to 807 KAR 5:063, Kentucky RSA #3 has notified the County/Judge Executive of the proposed construction. Kentucky RSA #3 has filed applications with and

received approvals from the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility.

Kentucky RSA #3 has filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no public comments have been filed with the Commission.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Kentucky RSA #3 should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Kentucky RSA #3.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Kentucky RSA #3 has demonstrated that a facility is necessary to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Kentucky RSA #3 is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility consists of a self-supporting antenna tower not to exceed 255 feet in height, with attached

antenna, and is to be located at Hillview Drive, Scottsville, Allen County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 44' 52.56" by West Longitude 86° 11' 51.75".

2. Kentucky RSA #3 shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 25<sup>th</sup> day of September, 2000.

By the Commission

ATTEST:

  
Executive Director